

Letter Bk. V Ldp's Lieutenant Governor was invested with the sole power of nominating the Members of the new Court due Regard was paid to the latter, & that as Three of them were to be taken from the Body of the Clergy They might more readily agree to the Regulation, but I am for my part far from being convinced that such would be the Case & indeed I perceive by a Letter I received yesterday from Mr Allen on his Return from Baltimore Town (where he called on his way from Frederick County to have a Piece printed of which I inclose you a Copy) that he considers the Scheme proposed as a most audacious Attempt on the Priviledges of the Clergy & is for substituting instead thereof a Commissorial or Episcopal Jurisdiction, concerning which I observe he has already wrote to you, but how such Jurisdiction can be established or introduced here so as to have the proper Effect otherwise than by a Law of the Province or a Statute I do not know & I am apt to think the Clergy in general within this Province will not of themselves apply for either, tho many Individuals among them of the best sort have even in my own Hearing express't their Wishes that some Plan could be fallen on to prevent the Scandal reflected on the whole Body by the flagitious Conduct of some of their Members. During the Course of the Session a Bill was moved for & brought into the Lower House for raising a Sum of Money for the better Support of a Chief Justice & two puisne Judges within this Province the former to be allowed £500 & each of the other £300 stg a year to be paid out of the Ordinary Lycence Fines, a Tax proposed to be laid on Wheel Carriages &c but as the Bill was of a new & extraordinary Nature it was agreed to refer it over to the Consideration of the next Session so that in the mean time People's Sentiments on the Subject might be collected. After such Reference a seperate Bill was prepared for regulating the Ordinaries, the Fines, to be accounted for to the Treasurers & be hereafter liable to such Disposition or Appropriation as the General Assembly may think fit being as I understand intended as a Fund for the Support of such Judges in Case the Scheme for their Establishment should be adopted at the next Session, to which Appropriation I conclude from what His Ldp said in a Letter he did me the honour to write to me the 7th of Feb^{ry} 1765 he will not object if the Bill for establishing such Judges is in other Respects unexceptionable. I will as soon as possible get a Copy of the Bill framed this Session & transmit it for His Ldps & your Consideration so that before the Assembly meets again which probably they will not do till October Twelve month I may be favoured with His Ldp's Instructions & your Sentiments thereon. It is not without very great Concern that I advise you of the Loss we